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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,523	12/04/2000	Kinney Bacon	A-6237	4555

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SCIENTIFIC-ATLANTA, INC.  
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EXAMINER

SHERKAT, AREZOO

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/729,523	<b>Applicant(s)</b> BACON ET AL	
	<b>Examiner</b> Arezoo Sherkat	<b>Art Unit</b> 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 9-20, 22, 23 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9-20, 22, 23 and 28-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/13/01</u> . | 6) <input type="checkbox"/> Other: _____  |

*Handwritten mark*

### **DETAILED ACTION**

Claims 1-4, 9-20, 22-23, and 28-30 are presented for examination.

#### ***Claim Objections***

Claim 4 is objected to because of the following informalities: claims 3 and 4 are repetitious. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 9-20, 22-23, and 28-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Hylton et al., (U.S. Patent No. 5,708,961 and Hylton hereinafter).

Regarding claim 1, Hylton discloses in a system with a plurality of packetized data streams, a method of designating a source of at least one packetized data stream within a multiplexed signal including at least a portion of the at least one packetized data stream, the method comprising the steps of:

assigning to the source of the at least one packetized data stream, a first unique designator (Col. 23, lines 5-16);

multiplexing at least the portion of the at least one packetized data stream with at least a portion of a second packetized data stream to create the multiplexed signal (Col. 24, lines 38-67 and Col. 25, lines 1-67); and

transmitting the first unique designator in conjunction with the multiplexed signal, wherein the first unique designator indicates the source of the at least one packetized data stream (i.e., for digital services, the connection block descriptor also includes either a program number or at least one MPEG II PID value needed to identify the program within the digital stream on that RF channel)(Col. 26, lines 1-63).

Regarding claim 9, Hylton discloses in a host terminal, a method of multiplexing together packets from at least two packetized data streams to enable decryption of the packets by an external conditional access module, the method comprising the steps of:

assigning to each of the sources originating the at least two packetized data streams, associated unique designators (Col. 23, lines 5-16);

multiplexing the packets forming portions of the at least two packetized data streams into a signal, creating an association for each packet in the signal with the unique designator of the originating packetized data stream from which each packet originated (i.e., for digital services, the connection block descriptor also includes either a program number or at least one MPEG II PID value needed to identify the program within the digital stream on that RF channel)(Col. 29, lines 39-67 and Col. 30, lines 1-35);

transmitting the signal and the associations of the packets to the external conditional access module, and decrypting, in the external conditional access module, the packets in the signal based on the associated unique designators (Col. 26, lines 1-63).

Regarding claim 11, Hylton discloses in a system with a plurality of Moving Picture Experts Group type 2 (MPEG-2) standard transport streams and a host terminal, a method of designating to an external conditional access module a source of at least one packet of a first MPEG-2 transport stream with a multiplexed signal including the at least one packet of the first MPEG-2 transport stream, the method comprising the steps of:

assigning to the source of the first MPEG-2 transport stream, a unique designator (Col. 23, lines 5-16);

creating a transport stream source indicator signal that includes the unique designator associated with the at least one packet of the first MPEG-2 transport stream, multiplexing the at least one packet of the first MPEG-2 transport stream with packets from at least a portion of a second MPEG-2 transport stream to create the multiplexed signal (Col. 11, lines 5-67 and Col. 12, lines 1-63); and

transmitting to the external conditional access module the transport stream source indicator signal in conjunction with the multiplexed signal, wherein transmission of the transport stream source indicator signal, by the unique designator, indicates the

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source of the at least one packet as the source of the first MPEG-2 transport stream (Col. 13, lines 8-67 and Col.14, lines 1-45).

Regarding claim 14, Hylton discloses an external conditional access module comprising:

a host terminal interface configured to receive from a host terminal, an incoming multiplexed signal comprising at least one packetized data stream that includes a unique source address that indicates a source of a data packet inside the at least one packetized data stream (Col. 18, lines 23-67 and Col. 19-20, lines 1-67);

a de-multiplexer configured for de-multiplexing the incoming multiplexed signal into data packets associated with the at least one packetized data stream based on the unique source address associated with each data packet (Col. 30, lines 4-67 and Col. 31, lines 1-15);

a controller configured for determining if decryption is allowed for the data packets associated with the at least one packetized data stream and for controlling decryption parameters, and a decryptor configured for decrypting, if decryption is allowed, the data packets associated with the at least one packetized data stream using decryption parameters for the at least one packetized data stream (Col. 25, lines 65-67 and Col. 26, lines 40-67).

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Regarding claim 18, Hylton discloses a host terminal that provides a multiplexed signal to an external conditional access module, wherein the multiplexed signal includes data packets from at least two packetized data streams, the host terminal comprising:

at least two tuners, each tuner for receiving one of the at least two packetized data streams (Col. 18, lines 23-67); and

a multiplexer for combining data packets from the at least two packetized data streams into the multiplexed signal, for assigning a unique source address that indicates which tuner received the packetized data stream associated with the data packets, for transmitting the multiplexed signal to the external conditional access module, and for communicating the unique source address associated with each data packet to the external conditional access module (Col. 12, lines 4-63).

Regarding claims 2, 10, 15, and 19, Hylton discloses wherein the packetized data stream is in a format compliant with at least one of Moving Picture Experts Group type 2 (MPEG-2) standard, Moving Picture Experts Group type 4 (MPEG-4) standard, Asynchronous Transfer Modulation (ATM) standard, and Internet Protocol (IP) standard (Col. 10, lines 22-60).

Regarding claims 3 and 4, Hylton discloses wherein the step of transmitting the first unique designator comprises the steps of:

creating a first unique designator signal that includes the first unique designator (Col. 11, lines 5-67 and Col. 12, lines 1-63); and

transmitting the first unique designator signal in conjunction with the multiplexed signal, wherein the first unique designator signal provides the first unique designator at the start of the at least one packet of the at least one packetized data stream (Col. 19, lines 1-67 and Col. 20, lines 1-36).

Regarding claim 12, Hylton discloses further including the step of decrypting, in the external conditional access module, the at least one packet based on the source of the first MPEG-2 transport stream (Col. 25, lines 65-67 and Col. 26, lines 40-67).

Regarding claim 13, Hylton discloses further including the step of transmitting the decrypted at least one packet from the external conditional access module to the host terminal (Col. 26, lines 63-67 and Col. 27, lines 1-15).

Regarding claim 16, Hylton discloses further comprising an encryptor for encrypting the data packets associated with the at least one packetized data stream (Col. 25, lines 60-67 and Col. 26, lines 1-40).

Regarding claim 17, Hylton discloses wherein the encryption provides copy protection for the data packets associated with the at least one packetized data stream (Col. 26, lines 40-67 and Col. 27, lines 1-15).



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Regarding claim 20, Hylton discloses further comprising a demultiplexer for receiving an output signal from the external conditional access module, for demultiplexing the output signal, and for providing the at least two packetized data streams as separate packetized data streams (Col. 30, lines 4-67 and Col. 31, lines 1-15);

Regarding claim 22, Hylton discloses wherein the at least one packetized data stream comprises a first encrypted signal, and wherein the source of the at least one packetized data stream comprises a first tuner (Col. 18, lines 23-67).

Regarding claim 23, Hylton discloses further comprising decrypting the first encrypted signal subject to a first authorization (Col. 25, lines 65-67 and Col. 26, lines 40-67).

Regarding claims 28-29, Hylton discloses a point-of-deployment (POD) module comprising:

a host terminal interface configured to receive from a host terminal, a multiplexed signal comprising a first encrypted signal together with a first transport stream source indicator signal (TSSIS) (Col. 18, lines 23-67 and Col. 19-20, lines 1-67);

a demultiplexer configured to use the first TSSIS to identify the first encrypted signal in the multiplexed signal packet (Col. 30, lines 4-67 and Col. 31, lines 1-15);

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a controller configured to generate a first decryption instruction upon receiving authorization through a first authorization grant signal, and a first decryptor configured to receive from the demultiplexer, the first encrypted signal, and decrypt the first encrypted signal conditional to receiving the first decryption instruction (Col. 25, lines 65-67 and Col. 26, lines 40-67).

Regarding claim 30, Hylton discloses further comprising:

assigning to a second tuner that is a source of the second packetized data stream, a second unique designator (Col. 18, lines 23-67); and

transmitting the second unique designator in conjunction with the multiplexed signal, whereby the second unique designator provides an identification of the second tuner as the source of the second packetized data stream (Col. 19, lines 1-67 and Col. 20, lines 1-36).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tominaga et al., (U.S. Patent No. 6,137,795),

Chari, (U.S. Patent No. 6,038,319), and

Kimoto et al., (U.S. Patent No. 5,381,476).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Apr. 27, 2005



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